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AUG 30 1996

**RICHARD W. WIEKING
CLERK, U. S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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Attorneys for Defendants/Counter-
Claimants CYLINK, CARO-KANN CORPORATION
AND THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR UNIVERSITY.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROGER SCHLAFELY,

Plaintiff,

v.

PUBLIC KEY PARTNERS AND RSA DATA
SECURITY, INC.,

Defendants,

No. C-94-20512 SW

RSA DATA SECURITY, INC.,

Plaintiff,

v.

CYLINK CORPORATION and CARO-KANN
CORPORATION, et al.

Defendants.

No. C-96-20094 SW

**STIPULATED ORDER REGARDING
PRE-TRIAL AND TRIAL SCHEDULE**

1 The Court has reviewed the parties' papers and has heard
2 argument with respect to the motions and cross-motions concerning
3 the scheduling of the Markman hearing, the pending summary judgment
4 motions and trial of this matter. Good cause appearing, the Court
5 hereby orders the following schedule of pre-trial and trial matters
6 relating to claims and defenses concerning the Stanford Patents in
7 disputes:

8 A. Markman Hearing:

9 The Court will hold a tutorial on the technology at issue in
10 this case beginning on September 30, 1996 at 9:30 a.m. The parties
11 are to meet and confer well in advance of that date to agree upon a
12 set of procedures for making the necessary presentation to educate
13 the Court on the underlying technological aspects of the case that
14 are not reasonably in dispute. The parties should advise the Court
15 in advance of the hearing of the expected length of their
16 presentations.

17 Immediately following the tutorial, the Court will hold a
18 Markman hearing to determine disputed issues of claim construction.
19 All fact discovery concerning claim construction must be propounded
20 and completed by September 6, 1996. If facts relevant to claim
21 construction are discovered after that date pursuant to discovery on
22 other issues, they may be offered at the Markman hearing. If a
23 party contends that expert testimony is necessary for such a
24 hearing, the designation of the expert shall be made by August 30,
25 1996 and each such designated expert shall be produced for
26 deposition by the other parties to this action before September 13,
27 1996. The parties are to exchange draft jury instructions
28 concerning claim construction by September 10, 1996 and shall meet

1 and confer in good faith to attempt to narrow the claim construction
 2 issues in dispute. Final proposed jury instructions concerning
 3 claim construction shall be served and filed by September 17, 1996.
 4 Memoranda opposing any jury instruction shall be filed and served by
 5 September 24, 1996.

6 B. Validity Summary Judgment Motions:

7 The Court will hear the validity summary judgment motions on
 8 October 30, 1996 at 10:00 a.m. Any opposition papers shall be
 9 served and filed by October 8, 1996. Any reply papers in support of
 10 such motions shall be filed by October 17, 1996.

11 C. Remaining Pre-Trial And Trial Schedule:

12 The remaining pre-trial and trial schedule shall be as follows:

13 Fact and Expert Discovery Cut-Off November 22, 1996

14 Remaining Dispositive Motions To Be Filed By December 4, 1996

15 Opposition to Remaining Dispositive Motions December 18, 1996

16 Reply to Remaining Dispositive Motions December 30, 1996

17 Hearing on Any Remaining Dispositive Motions January 13, 1997

18 Trial Commences February 3, 1997

19 The parties are admonished to negotiate in good-faith the scope
 20 of the trial to be held as scheduled above and to use their best
 21 efforts to narrow the issues to those that are truly in dispute and
 22 that should be tried to the Court.

1 Dated:

August 21, 1996

2 MORRISON & FOERSTER LLP
3 ALSTON & BIRD

4 By:

Karl J. Kramer
Karl J. Kramer

5 Attorneys for Defendants and Counter-
6 Claimants Cylink Corporation, Caro-
7 kann Corporation, and The Board of
8 Trustees of the Leland Stanford Junior
University

9 Dated:

August 21, 1996

10 HELLER, EHRMAN, WHITE & MCAULIFFE

11 By:

Robert D. Funn

12 Attorneys for Plaintiff RSA

13 Dated:

August 25, 1996

14 ROGER SCHLAFLY

15 Roger Schlafly

16 IT IS SO ORDERED.

17 Dated:

8/28/96

18 Dorman Williams
19 UNITED STATES DISTRICT COURT JUDGE